

AMERICAN COURT OF LABOR IS PROPOSED WITH UNIONS FREE OF SHERMAN LAW

BY W. H. ALBURN

New York, Jan. 27.—In an interview today a new plan for a "court of labor and capital relations" was suggested by Henry Rogers Seager, the noted economist and professor at Columbia University.

It is clear that organized capital proposes to go the limit against organized labor under the "restraint of trade" provision of the Sherman anti-trust law. I asked Prof. Seager:

"Is a powerful labor union a 'combination in restraint' of trade?"

"No more so than a manufacturers' association," he replied.

"Is a union boycott an offense forbidden by the Sherman anti-trust act?"

"No more so than an employers' black list," answers Prof. Seager.

"Is it right to use the Sherman act against a union in a labor war?"

"NO!" replied Prof. Seager, decisively. "So long as you don't use it against the employers it's unjust to invoke it against the workmen. It should not be used against either."

"The anti-trust act is simply an enactment of the English common-law principle that trade must not be artificially restrained. That is meant to guard the consuming public against monopolistic manufacturers and merchants.

"But when it comes to labor, the employer is the consumer of the labor, and he doesn't need such protection. He can take care of himself. It is easy for employers to combine, openly or secretly, and defend themselves against organized or unorganized laborers.

"Besides, labor is a different sort of commodity from merchandise and must be handled differently.

"England has shown us the way. Parliament has decreed that in trade disputes concerning wages, hours, etc., workmen were expressly exempt from the charge of 'combina-

tion in restraint of trade."

"We should have a similar exemption, provided by congress, as an amendment to the Sherman act, but it should exempt employers, too.

"That is the first step to be taken. Next I would suggest a federal commission or bureau with limited control or organized capital and organized labor.

"Let workmen have their unions, let manufacturers and other producers have their unions, but let the commission prevent their abuses.

"Such a commission could do what the British Board of Trade does. The system works well in England.

"The organization of employers and employees is encouraged. And collective bargaining between them is encouraged. The board demands only that they play fair. It demands, too, that unions shall be 'free'—that no union, by unjust requirements for membership, fees or apprenticeship, shall try to monopolize its craft in the hands of a few.

"If labor unions and employers' organizations are BOTH exempted from the operation of the Sherman act, and such a mechanism is established for honest collective bargaining between them, we'll have less bitterness and more mutual respect and fair play between labor and capital."

—o—o—o— THE LEWINSOHN CASE

State's Attorney MacLay Höyne may be asked by District Attorney Wilkerson to begin grand jury proceedings against Sol Lewinsohn, fugitive bondsman. The federal prosecutor believes that the missing man is amenable under the state laws on account of the wrecking of his bank.

It was rumored last night that Lewinsohn had been located in Adelaide, Australia.

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Toronto, Canada, has a housewife's league.